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Attorney Docket  
45008-10048

Dawn M. Bell/ *Dawn M. Bell* 10/14/08  
(Printed Name/Signature)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	Peter W. Gavin	)
Serial No:	10/771,654	)
Filed:	February 3, 2004	)
Group Art Unit:	3635	)
Examiner:	Mark R. Wendell	)
Title:	CASTING RISER PAN	)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPLICANT'S RESPONSE TO  
EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

Sir:

Applicant hereby responds to the examiner's statement of reasons for allowance set forth in the Notice of Allowability mailed on July 21, 2008. The examiner's statement of reasons for allowance recites:

The applicant amended the claim language of the independent claims to read that the opening within the wall has an axis substantially normal there through. The applicant also thoroughly explained the difference between the prior art's orientation element and the orientation element of the instant application. The instant application has an orientation element in which only one orientation allows for a secure resting and locked position; whereas the prior art has basically a shoulder allowing the securement to be loose and in any position.



Notice of Allowability at 2.

Applicant respectfully submits the following clarification and commentary regarding the foregoing examiner's statement of reasons for allowance. First, Applicant has not amended the independent claims to read that "the opening within the wall has an axis substantially normal therethrough. Instead, by Amendment B on May 14, 2008, Applicant amended independent claim 1 to recite a wall, "said wall defining an opening having an axis therethrough and substantially normal thereto . . ." Applicant also similarly amended independent claim 19 to recite "an inner wall . . . said inner wall defining an opening having an axis therethrough and substantially normal thereto . . ." Second, Applicant respectfully submits that neither of the independent claims recites or otherwise requires "an orientation element in which only one orientation allows for a secure resting and locked position." Instead, independent claim 1 simply recites that Applicant's orientation elements "facilitate seating of said cover in said casting riser pan in a predetermined angular orientation about said axis with respect to the angular orientation of said casting riser pan about said axis." Independent claim 19 similarly recites that Applicant's orientation elements "facilitate seating of said concrete cover in said casting riser pan in a predetermined angular orientation about said axis with respect to the angular orientation of said casting riser pan about said axis."

Respectfully submitted,

Date: October 14, 2008

  
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PTO/SB/21 (04-07)

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Total Number of Pages in This Submission

4

Application Number 10/771,654

Filing Date February 3, 2004

First Named Inventor Gavin

Art Unit 3635

Examiner Name Wendell

Attorney Docket Number 45008-10048

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<b>Remarks</b>	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Jenner & Block		
Signature			
Printed name	Mark P. Viga		
Date	October 14, 2008	Reg. No.	43,973

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## Message:

RE:

Appln No. 10/771,654  
Filed: February 3, 2004  
CASTING RISER PAN  
Examiner: Mark R. Wendell

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Transmittal Form

Fee Transmittal Form

Response to Examiner's Statement of Reasons for Allowance

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Sent By: Dawn Bell

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